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Attorneys for the United States

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

RECEIVED

JUL 16 2012

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE  
Plaintiff,

v.

THOMAS JOSEPH O'MEARA,  
Defendant.

No. CR 10-00562 LHK

STIPULATION AND ~~[PROPOSED]~~  
ORDER CONTINUING STATUS  
CONFERENCE

This matter is currently set for status conference on July 18, 2012, with trial commencing in April 2013. The parties now jointly request that the July 18, 2012 hearing date be continued one week to facilitate a potential change of plea. The parties have engaged in extensive settlement discussions regarding a resolution of this case, including participating in three settlement conference sessions before United States District Judge Davila. At this stage in the settlement negotiations, both parties believe that the additional time that would result from continuing the July 18<sup>th</sup> hearing one week would facilitate a potential disposition of the case.

In light of the above, the parties agree, and the Court finds and holds, as follows:

1. The current July 18, 2012 hearing date is hereby vacated.

STIPULATION AND ~~[PROPOSED]~~ ORDER  
CR 10-00562 LHK

FILED

JUL 16 2012

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

2. This matter is set for change of plea or further status on July 25, 2012, at 9:00 a.m.

3. Defendant's presence is required at the July 25, 2012 hearing.

SO STIPULATED:

DATED: 7/16/12

/s/  
JEANE DEKELVER  
Defense Counsel

DATED: 7/16/12

/s/  
JOSEPH FAZIOLI  
Assistant United States Attorney

IT IS SO ORDERED.

DATED:

LUCY H. KOH  
UNITED STATES DISTRICT JUDGE

DENIED.

Please address Speedy Trial Act. Do parties request an exclusion of time or not? If so, please state the basis for excluding time. Plea negotiations is not a basis upon which the Court can exclude time. If the parties do not request an exclusion of time, please include the Speedy Trial calculations in the amended stipulation. Thank you.

Dated: 7/16/12

Lucy H. Koh  
U.S. District Judge